MCCAMPBELL & YOUNG CO MAIL SECTION H. McCAMPBELL, JR. (1905-1974)

ATTORNEYS AT LAW

F. GRAHAM BARTLETT (1920-1982)

ROBERT S. MAROUIS ROBERT S. STONE J. CHRISTOPHER KIRK MARK K WILLIAMS JANIE C. PORTER

ROBERT S. YOUNG, JR.

GREGORY E. ERICKSON

R. SCOTT ELMORE

LINDSAY YOUNG

ORIGINAL 2021 PLAZA TOWER POST OFFICE BOX 550 KNOXVILLE, TENNESSEE 37901-0550

11 53 ATT SURGINIA: Mar Z

(615) 637-1440 TELECOPIER (615) 546-9731 RECEIVED

February 28, 1992

Via Federal Express

The Honorable Donna R. Searcy, Secretary Federal Communications Commission 1919 M Street, N.W., Room 222 Washington, D.C. 20554

ATTN: FM Branch

Re: Amendment to Application for New FM Construction Permit

Bowdon, Georgia FM Channel 288A (File No. BPH-911031ME)

Dear Ms. Searcy:

We submit herewith, on behalf of our client, Jeffrey P. Davis, an original and duplicate copies of an amendment to the above-referenced application for a new FM construction permit for Bowdon, Georgia FM Channel 288A. Also enclosed is an additional copy of the amendment to be date-stamped by your office and returned to the undersigned in the enclosed self-addressed, stamped envelope.

The enclosed amendment reports, inter alia, a minor change in ownership as defined by § 73.3573(b) of the Commission's rules, from Reliance Broadcasting, Inc. to Jeffrey P. Davis, president, treasurer, director, and 331/4% shareholder of Reliance Broadcasting, Inc. See, Processing of Broadcast Applications, 56 R.R.2d 941, 945 (1984). Thus, the Commission should refer to the applicant as "Jeffrey P. Davis" from this point forward.

Please note that the enclosed amendment is submitted in response to the Commission's Public Notice, Report No. 15183, released January 30, 1992, which establishes March 2, 1992 as the deadline for submitting amendments as of right to the above application. Consequently, no petition for leave to amend is required for the amendment's acceptance.

MAR 04 1992

FM EXAMINERS

February 28, 1992 Page 2

Should you or any members of your staff have questions concerning the enclosed, please contact the undersigned for clarification. Thank you for your cooperation in this matter. With kind regards, I remain

Very sincerely yours,

Robert S. Stone

Counsel to Jeffrey P. Davis

RSS/dlb Enclosures

cc: Jeffrey P. Davis

(for Public File)

### FCC 301

Approved by OMB-3080-0027 Expires 2/28/93 See Page 25 for information regarding public burden estimate

APPLICA'	TION FOR CO	NSTRUCTI	ON PERMIT	FOR C	OMMER	CIAL BROA	DCAST	STATIC	)N
For COMMISSION Fee		PEE NO:	Kar Aler	4 13	48	or APPLICAN Designation?	IT Fee U	se Only h this N/A	☐ Yes ☐ No
	[1	EE TYPE	, , , , , , , , , , , , , , , , , , ,			Fee exempt	(see 47 n theref	C.F.R. Se or (che	ction Lill2), ck one box):
	Ī	FEE AMT:				Govern	mental e	ntity	onal licensee
	ı	D SEQ:				OR COMMISS	ion use	ONLY	
Section I - GEN	ERAL INFORM	AT I ON						<del></del>	
1. Name of Applican	t	·		1		and commu		to the	following
Jeffrey	P. Davis			Name	)	e address bel			
					Jei	ffrey P.	Davis	3	
Street Address or P. 3343 Hu	0.Box interdon W	ay		Street	Addre 33	es or P.O. Box 43 Hunter	rdon W	lay	
City Mariett	a	State GA	ZIP Code 30067	City	Maı	rietta		State GA	ZIP Code 30067
Telephone No. / Include (404) 9	88-0688			Telep	hone N (4(	(3.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1	56'88'		•
2. This application is	ror:	AM		X	FM		т	v	
(a) Channel No. o	r Frequency		(b) Princi	pal		City			State
288A			J	unity	<u> </u>	Bowdon			GA
(c) Check one of t	he following b	oxes:							
Application	for NEW station	1							
MAJOR char	nge in licensed	facilities o	all sign:	1902P <sup>680</sup> 0P <sup>48</sup> F0P4	************	*************************	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		<del></del>
MINOR char	nge in licensed	facilities, o	eall sign:	************	************	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
MAJOR mod	ification of co	nstruction p	permit; call si	g n:	**,,	······			
File No. of co	onstruction per	mit:		,, <del>-</del>					
	ification of con								
File No. of co	onstruction per	mit	P44440076424007600760240778007007						
X AMENDMENT	to pending app	plication; A	pplication fil	e numb	er:	<del>00</del> 900 <del>2 9</del> 0 4 90 90 90 90 90 90 90 90 90 90 90 90 90	-10401040000 A	BPH-9	11031ME
NOTE: It is not ne submit only Section									o, however, pleas
3. Is this application	n mutually exc	lusive with	a renewal s	.pplicatio	on?			(	Yes X No
if Yes, state:	Call letters			Commu	nity of	License			
		City					S	tate	

Section   1 - LEGAL QUALIFI Name of Applicant	CATIONS		<u> </u>
Jeffrey P. Davis	•		
1. Applicant is: (check one box below)		,	
X Individual	General partnership	For-profit corporation	
Other	Limited partnership	Not-for-profit corporation	
2. If the applicant is an unincorporation, description, d			Exhibit No.
NOTE: The terms "applicant," "parapplicant" are defined in the insteach "party to this application" a if the applicant considers that the burden, it may request that the appropriate justification.	ructions for Section II of this indeach "non-party equity ow of urnish complete informations."	ner in the applicant" is required. on would pose an unreasonable	
<ol> <li>if the applicant is not an indivi- enabling charter (e.g., a limited p and a corporation must identify in</li> </ol>	artnership must identify its o	ertificate of limited partnership	
Date	Place		•
in the event there is no require applicant shall include the enablicase of a partnership, the enablithe applicant shall include a copy	ng charter in the applicant's ng charter does not include the	public inspection file. If, in the he partnership agreement itself,	
4. Are there any documents, instruminstruments identified in responsin the applicant, including but n stock finterests, beneficial stock debentures?	s to Question 8 above, relatin of limited to, insulated limited	g to future ownership interests i partnership shares, nonvoting	Yes X No
if Yes, submit as an Exhibit understandings, and provide the p		-	Exhibit No.
5. Complete, if applicable, the followi	ng certifications	•	
(a) Applicant certifies that no li management or operation of	-	d in any material respect in the	☐Y ← ☐ Nc N/A
<del>-</del> -	ete Question 6 below with a activities of the partnership.	respect to all limited partners	
(b) Does any investment compar trust department of any bar than 10% of the outstanding	k have an aggregated holding	o 88 a-31, insurance company, or ag of greater than 5% but less	Y ess X Nc
	rectly or indirectly, and has	prest exercises no influence or no representatives among the	Yes No

6. List the applicant, parties to the application and non-party equity owners in the applicant. Use one column for each individual or entity, Attach additional pages if necessary.

[Read carefully - The numbered items below refer to line numbers in the following table.]

- Name and residence of the applicant and, if applicable, its officers, directors, stockholders, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and partners.
- 2 Citizenship.
- 3. Office or directorship held.
- 4. Number of shares or nature of partnership interests.
- 5. Number of votes.

- 6. Percentage of votes.
- Other existing attributable interests in any broadcast station, including the nature and size of such interests.
- 8. All other ownership interests of 5% or more (whether or not attributable), as well as any corporate officership or directorship, in broadcast, cable, or newspaper entitles in the same market or with overlapping signals in the same broadcast service, as described in 47 C.F.R. Section 73.5555 and 78.501, including the nature and size of such interests and the positions held.

		·	
L.	Jeffrey P. Davis 3343 Hunterdon Way Marietta, GA 30067		
2.	U.S.		
3.	Sole Proprietor		
4.	Sole Proprietor		
5.	N/A		
6.	N/A		
7.	See Exhibit l		
8.	See Exhibit l		

# Section II - LEGAL QUALIFICATIONS (Page 3)

7. Does the applicant, any party to the application or any non-party equity owner in the applicant have, or have they had, any interest in:	
(a) a broadcast station, or pending broadcast station application before the Commission?	X Yes No
(b) a broadcast application which has been dismissed with prejudice by the Commission?	Yes X No
(c) a broadcast application which has been denied by the Commission?	Yes X No
(d) a broadcast station, the license of which has been revoked?	Yes X No
(e) a broadcast application in any pending or concluded Commission proceeding which left unresolved character issues against the applicant?	Yes X No
If the answer to any of the questions in (a)-(e) above is Yes, state in an Exhibit the following information:	Exhibit No.
<ul> <li>(1) Name of party having interest;</li> <li>(2) Nature of interest or connection, giving dates;</li> <li>(3) Call letters of stations or file number of application or docket; and</li> <li>(4) Location.</li> </ul>	
8. (a) Are any of the parties to the application or non-party equity owners in the applicant related (as husband, wife, father, mother, brother, sister, son or daughter) to each other?	Yes X No
(b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of any party to the application or non-party equity owner in the applicant have any interest in or connection with any other broadcast station, pending broadcast application or newspaper in the same area (see Section 73.3555/c)) or, in the case of a television station applicant only, a cable television system in the same area (see Section 76.581(a))?	Yes X No
If the answer to (a) or (b) above is Yes, attach an Exhibit giving full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.	Exhibit No.
9. State in an Exhibit any interest the applicant or any party to this application proposes to divest in the event of a grant of this application.	Exhibit No.
OTHER MASS MEDIA INTERESTS	
10. (a) Do individuals or entities holding nonattributable interests of 5% or more in the applicant have an attributable ownership interest or corporate officership or directorship in a broadcast station, newspaper or CATV system in the same area? (See Instruction 8 to Section 11.)	☐ Y · O No N/A
(b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daugther) of an individual holding a nonattributable interest of 5% or more in the applicant have any interest in or connection with any other broadcast station, pending broadcast application, newspaper in the same area (see Section 73.3555(c)), or, in the case of a television station applicant only, a cable television system in the same area (see Section 76.501(a))?	Yes No
If the answer to (a) and/or (b) above is Yes, attach an Exhibit giving a full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.	Exhibit No. N/A

FCC 301 (Page 4)

### Section II - LEGAL QUALIFICATIONS (Page 4)

and a description of the current status or disposition of the matter.

### CITIZENSHIP AND OTHER STATUTORY REQUIREMENTS

11. (a)	Is the applicant in violation of the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments? (See Instruction C to Section 11.)	Yes X No
(ъ)	Will any funds, credits or other financial assistance for the construction, purchase or operation of the station(s) be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents?	Yes X No
	If the answer to (b) above is Yes, attach an Exhibit giving full disclosure concerning this assistance.	Exhibit No. N/A
12 (a)	Has an adverse finding been made or an adverse final action been taken by any court or administrative body as to the applicant, any party to this application, or any non-party equity owner in the applicant in a civil or criminal proceeding brought under the provisions of any law related to the following:	
	Any felony; broadcast related antitrust or unfair competition; criminal fraud or fraud before another governmental unit; or discrimination?	Yes X No
(b)	is there now pending in any court or administrative body any proceeding involving any of the matters referred to in (a) above?	Yes X No
eor adz	the answer to (a) and/or (b) above is Yes, attach an Exhibit giving full disclosure according persons and matters involved, including an identification of the court or ministrative body and the proceeding (by dates and file numbers), a statement of the facts on which the proceeding is or was based or the nature of the offense alleged or committed.	Exhibit No. N/A

NOTE if this application is for a change in an operating facility do not fill out this section.

The applicant certifies that sufficient net liquid assets are on hand or that sufficient funds
are available from committed sources to construct and operate the requested facilities for
three months without revenue.

X Yes No

2. State the total funds you estimate are necessary to construct and operate the requested facility for three months without revenue.

**273,827.00** 

6. Identify each source of funds, including the name, address, and telephone number of the source (and a contact person if the source is an entity), the relationship (if any) of the source to the applicant, and the amount of funds to be supplied by each source.

Source of Funds (Name and Address)	Telephone Number	Relationship	Amount
Kenneth L. Bazzle 2820 Andrews Drive Atlanta, GA 30305	(404) 264-3295	Business Associate	\$273,827.00 ·
4			

### Section IV-A - PROGRAM SERVICE STATEMENT

Attach as an Exhibit, a brief description, in narrative form, of the planned programming service relating to the issues of public concern facing the proposed service area.

Exhibit No.

### Section IV-B - INTEGRATION STATEMENT

Attach as an Exhibit the information required in 1 and 2 below.

Exhibit No.

- 1. List each principal of the applicant who, in the event of a grant of the application on a comparative basis proposes to participate in the management of the proposed facility and, with respect to each such principal, state whether he or she will work full-time (minimum 40 hours per week) or part-time (minimum 20 hours per week) and briefly describe the proposed position and duties.
- 2. State with respect to each principal identified in response to Item 1. above, whether the applicant will claim qualitative credit for any of the following enhancement factors:
  - (a) Minority Status
  - (b) Past Local Residence
    - If Yes, specify whether in the community of license or service area and the corresponding dates.
  - (c) Female Status
  - (d) Broadcast Experience
    - If Yes, list each employer and position and corresponding dates.
  - (e) Daytime Preference

### AMENDMENT TO SECTION V-B AND EXHIBITS

As noted herein, the application originally filed for a new FM station to serve Bowdon, Georgia on FM Channel 288A by Reliance Broadcasting, Inc. (BPH-911031ME) has been amended to specify Jeffrey P. Davis, officer, director, and 331/4% shareholder of Reliance Broadcasting, Inc. as the individual applicant. Thus, all references to "Reliance Broadcasting, Inc." within § V-B and related exhibits of the application should now refer to "Jeffrey P. Davis," the successor to Reliance Broadcasting, Inc. in the instant application.

SECTION VI - EQUAL EMPLOYMENT OF	PORTUNITY PROGRAM		
i. Does the applicant propose to employ	five or more full-time employees?	Yes X N	o
If Yes, the applicant must include an Opportunity Program Report (FCC 3	n EEO program cailed for in the separate Broadcast Equal Empl 98-A).	oyment	
	•	:	
SECTION VII - CERTFICATIONS			
1. Has or will the applicant comply with	the public notice requirement of 47 C.F.R. Section 73.9580?	X Yes No	)
	ce, in good faith, that the site or structure proposed in Section transmitting antenna, will be available to the applicant for	X Yes No	)
If No, attach as an Exhibit, a full expl	antion.	Exhibit No.	
	on applicant's ownership of the proposed site or structure, d such reasonable assurance by contacting the owner or or structure.		
Name of Person Contacted	Mr. and Mrs. Daniel Brown	•	
Telephone No. (include area code)	(205) 363-2326		
Person contacted: (check one box below	•1		
X Owner Own	er's Agent Other (specify)		

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 300 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

in accordance with 47 C.F.R. Section i.65, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT.

U.S. CODE, TITLE 18, SECTION 1001.

I certify that the statements in this application are true and correct to the best of my knowledge and belief, and are made in good faith.

Name of Applicant	Signature
Jeffrey P. Davis	Jeffrey P. Vais
Date	Title 00
February 27, 1992	Sole Proprietor

# FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to determine if the benefit requested is consistent with the public interest. The staff, consisting variously of attorneys, analysts, engineers and applications examiners, will use the information to determine whether the application should be granted, denied, dismissed, or designated for hearing. If all the information is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to obtain the requested authority.

Public reporting burden for this collection of information is estimated to vary from 71 hours 45 minutes to 301 hours 30 minutes with an average of 118 hours 28 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, can be sent to the Federal Communications Commission, Office of Managing Director, Washington, D.C. 20554, and to the Office of Management and Budget, Paperwork Reduction Project (3080-0027), Washington, D.C. 20503.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3), and the paperwork reduction act of 1980, P.L. 98-511, December 11, 1980, 44 U.S.C. 3507.

# BROADCAST EQUAL EMPLOYMENT OPPORTUNITY MODEL PROGRAM REPORT

1. APPLICANT

, APPLICANT	
Name of Applicant	Address
Jeffrey P. Davis	3343 Hunterdon Way Marietta, GA 30067
Telephone Number (include area code) (404) 988-0688	
2. This form is being submitted in conjunction with:	
X Application for Construction Permit for New Station	Application for Assignment of License
Application for Transfer of Control  (a) Call letters (or channel number of frequency)	288A
(b) Community of License (city and state)	Bowdon, Georgia
(C) Service:	Other (Specify)
INSTRU	CTIONS
nore full-time employees must establish a program designed to assurthat is, Blacks not of Hispanic origin, Asians or Pacific Islanders, Ame to the Commission as the Model EED Program. If minority group represhe aggregate), a program for minority group members is not required the EED model program. However, a program must be filled for won real labor forces. If an applicant proposes to employ fewer than five need be filled.	rican Indians or Alaskan Natives and Hispanics). This is submitt sentation in the available labor force is less than five percent I. In such cases, a statement so indicating must be set forth nen since they comprise a significant percentage of virtually
Guidelines for a Model EEO Program	and a Model EEO Program are attached.
NOTE: Check appropriate box, sign the certification below and retu	rn to FCC:
X Station will employ fewer than 5 full-time employees; therefo	re no written program is being submitted.
Station will employ 5 or more full-time employees. Our Mod sections of this form.)	lel EEO Program is attached. (You must complete all
certify that the statements made herein are true, complete, and correct n good faith.	ct to the best of my knowledge and belief, and are made
Signed and dated this	= 2)th day of February , 1992
Signed Jeffe	y P. Davis
Title Title	Sole Proprietor

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.

# **EXHIBIT 1**

### INTERESTS IN BROADCAST STATIONS/APPLICATIONS

Jeffrey P. Davis, the applicant herein, currently serves as president, treasurer, director, and 331/2% shareholder of Reliance Broadcasting, Inc., licensee of WBTR-FM, Carrollton, Georgia. Mr. Davis also serves as general manager of WBTR-FM.

Pursuant to a management agreement and purchase option, Mr. Davis also serves as general manager of WLBB(AM), Carrollton, Georgia.

Upon a grant of Mr. Davis' application for Bowdon, Georgia FM Channel 288A, Mr. Davis will terminate his employment as general manager of both WBTR-FM and WLBB(AM), Carrollton, Georgia. Further, Mr. Davis shall resign as officer and director of Reliance Broadcasting, Inc. and shall divest himself of all ownership interest in the above corporation. Finally, upon a grant of Mr. Davis' application herein, Mr. Davis shall terminate his purchase option regarding WLBB(AM), Carrollton, Georgia. Thus, upon a grant of Mr. Davis' application for Bowdon, Georgia FM Channel 288A and prior to commencement of program tests by the Bowdon FM station, Mr. Davis shall have severed all interests in and/or connections with other Mass Media outlets and will devote his time and efforts exclusively to the management and operation of Bowdon, Georgia FM Channel 288A.

# **EXHIBIT 2**

### PROGRAMMING PROPOSAL

Jeffrey P. Davis, the applicant herein, shall become and remain familiar with the problems, needs, interests, and issues present within his proposed community of license and overall service area through informal ascertainment efforts, followed by responsive programming designed for the treatment of such needs, problems, interests, and issues. The applicant will utilize all parts of his broadcast day and a variety of program types and announcements to treat all such tissues in an effort to keep the station's listening audience informed. Such programs and public service announcements will be broadcast throughout the day during times and in sufficient amounts to adequately serve the public interest. In addition, the applicant will actively engage in the gathering and presentation of timely newscasts so as to keep his audience informed of programming sufficiently flexible so as to provide for special sensitivity to the changing needs of the service area.

### EXHIBIT 3

### INTEGRATION STATEMENT

In the event of a grant of the application of Jeffrey P. Davis for construction permit for a new FM station to serve Bowdon, Georgia on FM Channel 288A, Mr. Davis shall devote a minimum of 40 hours each week to the day-to-day operations of the station proposed by him in this application as general manager, on a permanent basis. As general manager, Mr. Davis will be responsible for all day-to-day supervision of station operations, including, but not limited to, overall station format, general programming, sales, personnel, promotion, and the station's business and financial affairs. His duties shall include ultimate responsibility for and direct oversight and supervision of all other operations and employees of the station. He will personally formulate and implement all station policy regarding programming, sales, engineering, public affairs, community service, and employment practices. To effectuate his integration proposal set forth above, Mr. Davis shall relocate to the community of Bowdon, Georgia where he shall reside on a permanent basis.

Mr. Davis claims qualitative enhancement credit for previous broadcast experience as set forth below.

Date	Employer	Position
09/69 - 02/72	O'Keefe Broadcasting WBCB Levittown, PA	Part-time Announcer
06/75 - 08/75	Woods Communications WTOB Winston-Salem, NC	Part-time Announcer
08/75 - 05/76	Epperson Communications WKBX Winston-Salem, NC	Part-time Announcer
06/80 - 01/82	Lake Huron Broadcasting KENR Houston, TX	Full-time Sales / Part-time Announcer
01/82 - 04/82	KEZY Radio Anaheim, CA	Full-time Sales
04/82 - 06/86	American Broadcasting Co. KABC Los Angeles, CA	Full-time Sales
07/86 - 10/87	Katz/New City WYAY Atlanta, GA	Full-time Local Sales Manager
10/87 - 03/88	Mann Media WGLD/WJOY Greensboro, NC	Full-time General Sales Manager
04/88 - 08/90	Gateway Radio Partners WKKX St. Louis, MO	Full-time Sales Manager
09/90 - Present	Reliance Broadcasting, Inc. WBTR-FM Carrollton, GA	President / Treasurer / Full-time General Manager
10/02/91 - Present	West Georgia Broadcasting WLBB Carrollton, GA	General Manager